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13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 KRAFT FOODS HOLDINGS, INC.,

16 Plaintiff,

17 vs.

18 THE PROCTER & GAMBLE COMPANY,

19 Defendant.

20 THE PROCTER & GAMBLE COMPANY,

21 Counterclaim Plaintiff,

22 vs.

23 KRAFT FOODS HOLDINGS, INC.

24 Counterclaim Defendant,

25 and

26 KRAFT FOODS GLOBAL, INC.

27 Third-Party Defendant.

) Case No. 3:08-CV-00930-PJH

) Transferred from W.D. Wisc.

) Case No. 07C0613S

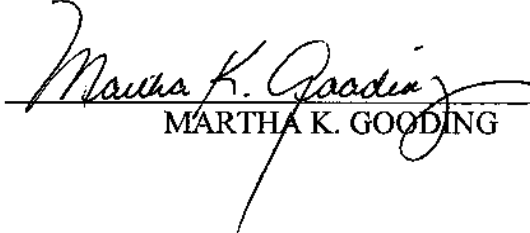
) DECLARATION OF MARTHA K. GOODING
) IN SUPPORT OF ADMINISTRATIVE
) MOTION BY DEFENDANT THE PROCTER &
) GAMBLE COMPANY FOR SCHEDULING
) AND STATUS CONFERENCE (L.R. 7-11)

1 I, Martha K. Gooding, declare as follows:

2 1. I am an attorney at the law firm of Howrey LLP, and one of the attorneys representing
3 Defendant The Procter and Gamble Company ("P&G") in the above-captioned action. I make this
4 Declaration in support of P&G's Motion for a Scheduling and Status Conference ("Motion"). I am a
5 member in good standing of the State Bar of California and have been admitted to practice before this
6 Court. Unless otherwise indicated, I have personal knowledge of the facts set forth in this Declaration
7 and, if called as a witness, I could and would testify competently to them under oath.

8 2. On February 7, 2008, I telephoned Evette Pennypacker, one of the attorneys
9 representing Kraft in this action, to advise her of P&G's intended Motion and to determine whether
10 Kraft would stipulate to it. I told her P&G believes fact discovery should continue without delay, in
11 accordance with the parties' previous discovery in the Wisconsin Action and that, once the transferred
12 case had been docketed in this Court, P&G intends to file a motion for a status conference or case
13 management conference to determine an appropriate schedule for the case. Ms. Pennypacker indicated
14 that Kraft did not agree with this approach and would not stipulate to or join in P&G's Motion.

15 I declare under penalty of perjury under the laws of the United States that the foregoing is true
16 and correct and that this Declaration was executed on March 6, 2008 at Irvine, California.

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19 MARTHA K. GOODING
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